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3 Kenneth W. Harper
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6 Yakima, WA 98902
7 509-575-0313
8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON

11 Firs Home Owners Association,

12 Plaintiff,

13
14 v.

15 City of SeaTac, a Municipal Corporation,

16 Defendant.
17

NO. 2:19-cv-01130

**DEFENDANT'S NOTICE OF
PENDENCY OF OTHER
ACTION IN ANOTHER
JURISDICTION OR FORUM**

18 Under LCR 3(h), defendant City of SeaTac notifies this Court that this
19 action is related to a pending action styled *Medina, et al. v. City of SeaTac, et*
20 *al.*, King County Superior Court case number 17-2-07094-7 KNT.
21

22 Plaintiff's complaint raises legal and factual issues that are related to
23 issues raised in *Medina*. *Medina* is a matter arising under Washington's Land
24 Use Petition Act, Ch. 36.70C RCW ("LUPA").
25

26 Coordination between these two actions would conserve resources and
27 promote an efficient determination of this case. Appropriate coordination
28

29 DEFENDANT'S NOTICE OF
30 PENDENCY OF OTHER ACTION - 1

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3 would likely be a stay of this action, including with respect to disclosures and
4 discovery, until a final judgment is entered in *Medina*. A copy of the
5 complaint and the state trial court's rulings in *Medina* dated September 19,
6 2018, and June 18, 2019, are appended to this notice.
7
8

9 DATED THIS 30th day of July, 2019.

10 s/ KENNETH W. HARPER
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29 DEFENDANT'S NOTICE OF
30 PENDENCY OF OTHER ACTION - 2

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3 CERTIFICATE OF SERVICE
4

5 I hereby certify that on July 30, 2019, I filed the foregoing with the
6
7 Clerk of the Court using the CM/ECF System, which will send notification of
8 such filing to the following:
9

10 V. Omar Barraza omar@barrazalaw.com
11 Christina L. Henry chenry@hdm-legal.com
12 Ms. Mary E. Mirante Bartolo mmbartolo@seatacwa.gov
13 Mr. Mark S. Johnsen mjohnsen@seatacwa.gov

14 and I hereby certify that I have mailed by United States Postal Service the
15 document to the following non-CM/ECF participants:
16

17 None.

18 s/ KENNETH W. HARPER
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29 DEFENDANT'S NOTICE OF
30 PENDENCY OF OTHER ACTION - 3

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